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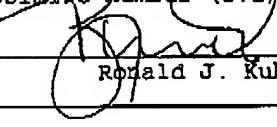
APR 20 2009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/544,210 Confirmation No. 8490
Applicant : Yasufumi TAKAHASHI et al.
Filed : August 2, 2005
TC/A.U. : 1795
Examiner : Adam A. Arciero
Dkt. No. : MAM-068
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on April 20, 2009, to
the United States Patent and Trademark Office
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Ronald J. Kubovcik

RESPONSE TO RESTRICTION REQUIREMENT DATED MARCH 20, 2009

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 20, 2009

Sir:

This paper is submitted in response to the Office Action dated March 20, 2009.

In the Action, restriction is required between:

(I) Claims 19-25, directed to a nonaqueous electrolyte secondary battery; and

(II) Claims 26-29, directed to a method of using a

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nonaqueous electrolyte battery.

Applicants elect the subject matter of group (I), Claims 19-25, for prosecution in this application. This election is made without traverse with the understanding that the applicants' rights under 35 U.S.C. §§ 120 and 121 to the filing of a divisional application directed to the non-elected subject matter are retained.

The foregoing is believed to be a complete and proper response to the Office Action dated March 20, 2009. A favorable action on the merits of the elected subject matter is believed to be in order and is respectfully solicited.

In the event any fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

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